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Butler, David

From: Nelson, Jeff
Sent: Tuesday, December 15, 2020 1:39 PM
To: Butler, David
Cc: John J. Pringle, Jr.; Schmieding, Janice; Hall, Roger; Grube-Lybarker, Carri
Subject: RE: [External] Re: Two Men and a Truck of Charlotte and Two Men and a Truck of Rock Hill - Docket Nos. 2001-221-T, 2019-391-T and 2020-284-T

David,

The request to cancel certificate 9831, R & M Charlotte LLC, was filed last week. A link to that request is below. Once the commission cancels that certificate, ORS will be able to reissue certificate 9713-A under the name R & M Charlotte LLC dba Two Men and a Truck of Charlotte, which is the entity that has filed the request to amend its tariff.

<https://dms.psc.sc.gov/Attachments/Matter/feab0814-9c73-45c5-80bd-0b19b60fc8b5>

I believe that the reason for the confusion here is that the Company filed the request to cancel the old certificate and amend the surviving company's tariff at the same time.


Please let me know if you have any other questions.

Jeff



Jeffrey M. Nelson
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Office of Regulatory Staff

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From: Butler, David <David.Butler@psc.sc.gov>
Sent: Tuesday, December 15, 2020 11:44 AM
To: Nelson, Jeff <jnelson@ors.sc.gov>; Chauvin, Carole <cchauvin@ors.sc.gov>
Cc: John J. Pringle, Jr. <jack.pringle@arlaw.com>; Schmieding, Janice <Janice.Schmieding@psc.sc.gov>; Hall, Roger <RHall@scconsumer.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>
Subject: FW: [External] Re: Two Men and a Truck of Charlotte and Two Men and a Truck of Rock Hill - Docket Nos. 2001-221-T, 2019-391-T and 2020-284-T

Jeff:

Should the name on the Certificate for this Company be amended, based on the discussion below?

Thanks,

David Butler

From: Tripp Moore <Tripp.Moore@twomen.com>

Sent: Monday, December 14, 2020 9:08 AM

To: Butler, David <David.Butler@psc.sc.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>; Pittman, Jenny <jpittman@ors.sc.gov>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; Nelson, Jeff <jnelson@ors.sc.gov>

Cc: Schmieding, Janice <Janice.Schmieding@psc.sc.gov>

Subject: [External] Re: Two Men and a Truck of Charlotte and Two Men and a Truck of Rock Hill - Docket Nos. 2001-221-T, 2019-391-T and 2020-284-T

Good morning Mr. Butler,

I hope this email finds you well on a rainy Monday morning. This email will help clarify the filing name and a few bit of information in the requested changes to the proposed tariff. The short answer for the correct name on the filing should be: R&M Charlotte, LLC dba Two Men And A Truck of Charlotte.

The full answer: Over the past 10 years of so, our corporate office required us to separate our two territories into two separate corporations. This was the reason that the original certificate 9713 remained with Roeder& Moore, LLC dba Two Men And A Truck of Rock Hill and a new limited scope certificate 9831 went to R&M Charlotte, LLC dba Two Men And A Truck of Charlotte. Our corporate office later told us that we should connect the two under one operating unit, therefore unifying the state operating authorities - this combined Roeder & Moore, LLC and R&M Charlotte back under one amended authority of 9713-A under the primary name of R&M Charlotte, LLC. This left 9831 hanging out there as a duplicate operating authority that we needed to cancel. Both the cancelation request of 9831 and tariff amendment reached the Commission at the same time due to updating paperwork and truck signage to make sure 9831 was removed from all before completely dissolving with the Commission. At this point, there should be one active statewide operating authority 9713-A that is held by R&M Charlotte, LLC dba Two Men And A Truck of Charlotte. The attached Proposed Tariff has been updated to reflect this. Please let me know if any further explanation is required.

Further clarification is also needed for a few amendments requested in the tariff:

1. 1.1.1 and 1.1.2 have been more clearly defined to include "round trip" miles that will be determined by online applications such as Bing or Google maps
2. 1.1.5 Holiday Premium dates have been specified
3. R&M Charlotte, LLC dba Two Men And A Truck of Charlotte has been clarified on the header and footer

We also understand that moving from a fixed rate tariff to a maximum (variable) rate tariff may also conflict with current regulation 103-198 (cited below) that requires the carrier to charge the shipper the fixed rate value specified in our tariff. We are requesting exemption from this regulation so that we can properly file the amendments to our tariff to have flexibility to vary the rate as necessary.

103-198. Variations in Charges Prohibited.

Unless otherwise specifically exempted by the commission, no motor carrier operating under a Certificate of PC&N shall charge, demand, collect, or receive, or cause or permit its agent, servants, or employees to charge, demand, collect, or receive a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time; and no motor carrier shall refund or remit in any manner or by any device, directly or indirectly, any portion of the rates, fares, or charges so specified, or extend to any person any privileges, facilities, or services, or do or perform any service, or give, remit, or refund anything of value except in accordance with said lawful tariffs and schedules, or specific order by the commission.

Please let me know if there is any other follow up needed to proceed.

Thank you kindly,

Tripp Moore

p: 704.525.0555

e: Tripp.Moore@twomen.com

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